

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAVID and KIM CARROLL,

Plaintiffs,

Case No. 04-71655

v.

District Judge
Arthur J. Tarnow

THAD LAMBRIS, JOSE RAMIREZ,
STEPHEN CLARK, and VILLAGE OF
OXFORD,

Defendants.

**ORDER DENYING DEFENDANT CLARK'S MOTION FOR
SUMMARY JUDGMENT [DE 70], GRANTING IN PART AND DENYING IN PART
DEFENDANTS VILLAGE OF OXFORD'S AND THAD LAMBRIS'S MOTION FOR
SUMMARY JUDGMENT [DE 71], DENYING PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT [DE 72], AND DENYING DEFENDANT RAMIREZ'S
MOTION FOR SUMMARY JUDGMENT [DE 73]**

Before the Court are motions for summary judgment filed by the parties in this civil rights action under 42 U.S.C. § 1983. On October 5, 2005, the Court heard oral arguments as to all of the motions. For the reasons stated on the record at the motion hearing,

IT IS HEREBY ORDERED that Defendant Clark's motion for summary judgment [DE 70] is DENIED;

IT IS FURTHER ORDERED that Defendants Village of Oxford and Thad Lambris's motion for summary judgment [DE 71] is GRANTED AS TO PLAINTIFFS' CLAIMS AGAINST THE VILLAGE OF OXFORD ONLY;

IT IS FURTHER ORDERED that Defendants Village of Oxford and Thad Lambris's

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motion for summary judgment [DE 71] is DENIED AS TO PLAINTIFFS' CLAIMS AGAINST THAD LAMBRIS;

IT IS FURTHER ORDERED that Plaintiffs' motion for summary judgment [DE 72] is DENIED;

IT IS FURTHER ORDERED that Defendant Ramirez's motion for summary judgment [DE 73] is DENIED.

s/ Arthur J. Tarnow
Arthur J. Tarnow
United States District Judge

Dated: 10/6/2005

I hereby certify that a copy of the foregoing document was served upon counsel of record on October 6, 2005 by electronic and/or ordinary mail.

s/ Theresa E. Taylor
Case Manager